

1 BILL NO. R-80-09-10

2 RESOLUTION NO. R- 79-80

3

4 A RESOLUTION finding, determining and
5 ratifying an Inducement Resolution of
6 the Fort Wayne Economic Development Com-
7 mission authorizing the issuance and sale
8 of \$350,000.00 Economic Revenue Bonds of
9 the City of Fort Wayne, Indiana, for the
purpose of inducing the Applicants, Herbert
P. and Alice M. Hatfield, to proceed with
the acquisition, construction and equipping
of the project.

10

11 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")
12 is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue
13 bonds for the financing of economic development facilities, the
14 funds from said financing to be used for the acquisition, con-
15 struction and equipping of said facilities, and said facilities
16 to be either sold or leased to another person or directly owned
17 by another person; and

18 WHEREAS, Herbert P. and Alice M. Hatfield (the "Applicant")
19 have advised the Fort Wayne Economic Development Commission and
20 the Issuer that it proposes that the Issuer lease the same to
21 the Applicant or loan proceeds of an economic development fi-
22 nancing to the Applicant for the same, said economic develop-
23 ment facility to be a 16.29 acre site located on Indiana State
24 Highway #33, about three miles South of Churubusco, and a con-
25 crete ready-mix plant and equipment to be erected thereon, for
lease to Keystone Concrete, Inc. (the "Project"); and

26 WHEREAS, the diversification of industry and an increase
27 in approximately five job opportunities to be achieved by the
28 acquisition, construction and equipping of the Project will
29 be of public benefit to the health, safety and general welfare
30 of the Issuer and its citizens; and

31 WHEREAS, having received the advice of the Fort Wayne
32 Economic Development Commission, it would appear that the

7 financing of the Project would be of public benefit to the
8 health, safety and general welfare of the Issuer and its citi-
9 zens; and

10 WHEREAS, the acquisition and construction of the facility
11 will not have an adverse competitive effect on any similar
12 facility already constructed or operating in or about Fort
13 Wayne, Indiana;

14 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
15 FORT WAYNE, INDIANA:

16 SECTION 1. The Common Council finds, determines, ratifies
17 and confirms the promotion of diversification of economic de-
18 velopment and job opportunities in and near Fort Wayne, Indiana
19 and in Allen County, is desirable to preserve the health,
20 safety and general welfare of the citizens of the Issuer; and
21 that it is in the public interest that Fort Wayne Economic De-
22 velopment Commission and said Issuer take such action as it
23 lawfully may to encourage diversification of industry and pro-
24 motion of job opportunities in and near said Issuer.

25 SECTION 2. The Common Council further finds, determines,
26 ratifies and confirms that the issuance and sale of revenue
27 bonds in an amount not to exceed \$350,000.00 of the Issuer
28 under the Act for the acquisition, construction and equipping
29 of the Project and the sale or leasing of the Project to the
30 Applicant or the loaning of the proceeds of such a financing
31 to the Applicant for such purposes will serve the public pur-
32 pose referred to above, in accordance with the Act.

33 SECTION 3. In order to induce the Applicant to proceed
34 with the acquisition, construction and equipping of the Project,
35 the Common Council hereby finds, determines, ratifies and con-
36 firms that (i) it will take or cause to be taken such actions

pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof, provided that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant; (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development bonds.

SECTION 4. All costs of the Project incurred after the passage of this Inducement Resolution, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, interest paid during construction, underwriting expenses, attorney and bond counsel fees, acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter either sell or lease the same to the Applicant or loan the proceeds of such financing to the Applicant for the same purposes.

APPROVED AS TO FORM AND
LEGALITY SEPTEMBER 5, 1980.

James I. Ihm
COUNCIL

COUNCILMAN

John E. Hoffman
JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Stan,
seconded by Geistert, and duly adopted, read the second time
by title and referred to the Committee Finance (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on 19, the 19 day of September, at 10 o'clock M., E.S.T.

DATE: 9-9-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stan,
seconded by Geistert, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT, D.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT, V.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>TALARICO</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 9-23-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No. B-78-80
on the 23rd day of September, 19 80.

Charles W. Westerman ATTEST: (SEAL)
CHARLES W. WESTERMAN - CITY CLERK Vivian G. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 24th day of September, 19 80, at the hour of
2:30 o'clock P. M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 26th day of Sept.
19 80, at the hour of 4 o'clock P M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. R-80-09-10

REPORT OF THE COMMITTEE ON FINANCE

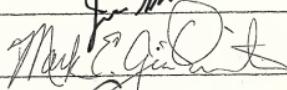
WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
XXXXXXXXXX ORDINANCE A RESOLUTION finding, determining and ratifying an Inducement
Resolution of the Fort Wayne Economic Development Commission authorizing
the issuance and sale of \$350,000.00 Economic Revenue Bonds of the City
of Fort Wayne, Indiana, for the purpose of inducing the Applicants,
Herbert P. and Alice M. Hatfield, to proceed with the acquisition,
construction and equipping of the project

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

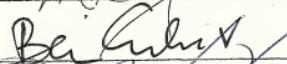
JAMES S. STIER, CHAIRMAN



MARK GIAQUINTA, VICE CHAIRMAN



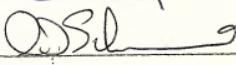
BEN EISBART



PAUL M. BURNS



DONALD J. SCHMIDT



g
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

DATE

6/3/80 CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

REPORT OF THE FORT WAYNE ECONOMIC DEVELOPMENT
COMMISSION CONCERNING THE PROPOSED FINANCING
OF ECONOMIC DEVELOPMENT FACILITIES FOR
HERBERT P. AND ALICE M. HATFIELD

Having been furnished certain data by the above applicant, and having had discussions with representatives of said applicant, the Fort Wayne Economic Development Commission now submits the following report pursuant to Indiana Code 18-6-4.5-16.

Description of Proposed Facilities

A 16.29 acre site located on Indiana State Highway #33, about 3 miles

South of Churubusco, and a concrete ready-mix plant and equipment to be erected thereon, for lease to Keystone Concrete, Inc.

Estimate of Public Services Required

Applicant will install septic system and well.

All public services, including water and sewage, now exist. No public facilities will be made necessary on account of the proposed facilities.

Total Project Cost

The total project cost for the purchase, construction and equipping of the facilities is estimated to be \$ 350,000.00, including costs of issuance of the economic development revenue bonds.

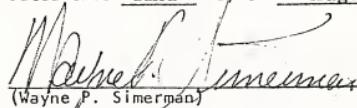
Number of Jobs and Estimated Payroll

It is anticipated there will be approximately 5 new jobs created by this project with an estimated payroll increase of approximately \$ 75,000.00 annually.

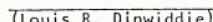
Adverse Competitive Effect

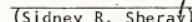
The construction of the facilities will not have an adverse competitive effect on any similar facilities already constructed or operating in or near Fort Wayne, Indiana.

Dated this 22nd day of August, 1980.


(Wayne P. Simerman)


(Jack Gren)


(Louis R. Dinwiddie)


(Sidney R. Sheray)


(Donald B. Fisher)

MINUTES OF A MEETING OF THE
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

8/22, 1980

The Fort Wayne Economic Development Commission held a meeting on August 22, 1980, at 11:00 o'clock A.M. at the City-County Building in the City of Fort Wayne, Indiana, notice of the time and place of such meeting having been duly given to the ^{published} Commission members by John E. Hoffman and duly. The Commissioners were present or absent as indicated:

Present: Wayne P. Simerman, Sidney Sheray, Jack Gren and Donald B. Fisher

Absent: Louis Dinwiddie

The meeting was called to order by Wayne P. Simerman, the
President.

Thereupon, consideration was then given to an application for approval of project proposed for economic development revenue bond financing by Herbert P. Hatfield and Alice M. Hatfield (Hatfields) for the financing of certain economic development facilities in the County of Allen, Indiana. A discussion was had as to the proposal of the Hatfields concerning the financing of Hatfields economic development facilities.

The President then presented a proposed Report of the Fort Wayne Economic Development Commission entitled "Report of the Fort Wayne Economic Development Commission Regarding the Proposed Acquisition, Construction and Equipment of Economic Development Facilities for Herbert P. Hatfield and Alice M. Hatfield", which report is attached hereto and was discussed by the Commission members.

Commission Member Jack Gren moved and Commission Member Sidney Sheray seconded the adoption of the following resolution:

RESOLUTION OF INTENT AND PRELIMINARY APPROVAL
REGARDING ECONOMIC DEVELOPMENT FACILITIES UNDER
INDIANA CODE 1971, TITLE 18, ARTICLE 6, CHAPTER
4.5, AND REGARDING INITIAL REPORT.

WHEREAS, the Fort Wayne Economic Development Commission (the "Commission") was created by Ordinance pursuant to authority granted by Title 18, Article 6, Chapter 4.5 of the Indiana Code of 1971, as amended (the "Act"); and

WHEREAS, the Commission was created to investigate, study and survey the need for and to recommend action to improve or promote employment opportunities, diversification of economic development facilities and pollution control facilities in and near Fort Wayne, Indiana; and

WHEREAS, Herbert P. Hatfield and Alice M. Hatfield ("Hatfields") have filed an application with the Commission to finance the acquisition, construction and equipment of a facility which will constitute an economic development facility resulting in new jobs as well as other benefits; and

WHEREAS, a proposed Report of the Fort Wayne Economic Development Commission entitled "Report of the Fort Wayne Economic Development Commission Concerning the Proposed Acquisition, Construction and Equipment of Economic Development Facilities for Herbert P. Hatfield and Alice M. Hatfield" has been prepared and presented to this Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION:

Section 1. That this Commission does hereby find that in order to improve and promote employment opportunities and diversification of economic development facilities in and near the City of Fort Wayne, Indiana (the "City"), the prosperity, economic stability, health and general welfare of the City and County of Allen (the "County") would be benefited by a financing agreement between the City and the Hatfields for the financing of the acquisition, construction and equipment of economic development facilities, and in particular, the Commission finds that the economic welfare of the City and County would be benefited by such an agreement with the Hatfields, for the financing of the acquisition, construction and equipment of the economic development facilities described in the application of the Hatfields, which application is attached hereto and made a part of the recommendation of the Commission to the Common Council of the City that an appropriate preliminary Ordinance be passed with respect to said economic development facilities.

Section 2. That this Commission will take all necessary formal actions which are required by the Act in connection with the financing of the proposed economic development facilities.

Section 3. That the recommendation herein is subject to the public hearing required by the Act.

Section 4. That the initial report of the Commission, in the form presented, with respect to the proposed economic development facilities is hereby approved and adopted, and an officer of this Commission is hereby authorized and directed to transmit such report to the Allen County Plan Commission, as required by the Act.

The roll being called upon the question of passage of the Resolution, the vote thereon resulted as follows:

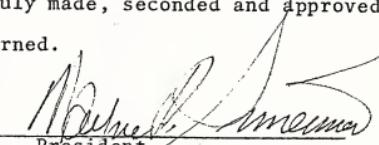
AYES: All members yes

NAYS: None

ABSTENTIONS:

Whereupon, the motion was declared carried and the resolution adopted.

There being no further business to come before the meeting, the presiding officer, upon motion duly made, seconded and approved, declared the meeting to be adjourned.


President

Attest:


Secretary

C E R T I F I C A T E

The undersigned, Secretary of the Fort Wayne Economic Development Commission hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of said Commission held August 22, 1980, to the extent the same relate to consideration and passage of the Resolution therein contained, and at such meeting a quorum of the members of the Commission for transacting business was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of August, 1980.


S. D. R. Shaw
Secretary, Fort Wayne Economic
Development Commission

Date August 14, 1980

To: John Hoffman, City Attorney

Subject: Attached EDC Application: Hatfield (Keystone Concrete Co.)

I have reviewed the application and financial statements of the applicant.

I find no problems with either document which should deter action by the Commission.

Frank W. Heyman
City Controller

Attachment
FWH/kme

Memorandum

To Economic Development Commission Date Aug. 18, 1980
From Kathy Moses, Senior Planner *KM*
Subject Hatfield E.D.C. Bond

COPIES TO:

File

The proposed concrete plant does comply with the goals of the Allen County Overall Economic Development Program. The project will create five new jobs at a cost of \$70,000 per job. It will be located within Allen County, thus increasing Allen County's tax base.

Fort Wayne's Comprehensive Plan is not applicable in this case. The project is far beyond the City limits and the urban service area. It should be pointed out that the facility will be served by a private septic tank in lieu of public sewers.

The City has no jurisdiction for the zoning in this case. Allen County's Board of Zoning Appeals did approve this project with many conditions. Further information from the Allen County Plan Commission will be forthcoming in that zoning report.

acpc

allen county plan commission • 630 city-county building • one main street • fort wayne, indiana • 46802

August 29, 1980

Mr. John E. Hoffman
City Attorney
1212 Anthony Wayne Bank Bldg.
Fort Wayne, Indiana 46802

Dear Mr. Hoffman:

Re: E.D.C. Application
Hatfield

We have reviewed your report for the proposed E.D.C. project on a 16.29 acre site on U.S. 33 for Keystone Concrete, Inc. The Allen County Board of Zoning Appeals approved a variance to permit the property to be utilized for ready-mix concrete production on January 9, 1980.

We would question the report where it states that public sewer and water facilities are existing at the site.

Cordially,



Jack G. Suter

dew

APR 71 *

DIGEST SHEET

Q-80-09-10

TITLE OF ORDINANCE: Inducement Resolution for an issue of \$350,000.00

DEPARTMENT REQUESTING ORDINANCE: Economic Development Commission

SYNOPSIS OF ORDINANCE: A 16.29 acre site located on Indiana State Highway #33, about three miles South of Churubusco, and a concrete ready-mix plant and equipment to be erected thereon, for lease to Keystone Concrete, Inc. on application of Herbert P. and Alice M. Hatfield.

EFFECT OF PASSAGE: The erecting of a concrete ready-mix plant with the creation of five new jobs and an estimated payroll of \$75,000.00 annually.

EFFECT OF NON-PASSAGE: None of the above.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): None.

ASSIGNED TO COMMITTEE: Finance